

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

AGWAY FARM & HOME SUPPLY,
LLC,¹

Debtor.

Chapter 11

Case No. 22-10602 (JKS)

Objection Deadline: October 11, 2022 at 4:00 p.m. (ET)

**SUMMARY OF SECOND MONTHLY FEE APPLICATION OF FOCUS
MANAGEMENT GROUP USA INC. FINANCIAL ADVISORS TO THE DEBTOR, FOR
ALLOWANCE OF COMPENSATION FOR SERVICES RENDERED AND
REIMBURSEMENT OF EXPENSES
FOR THE PERIOD FROM AUGUST 1, 2022 THROUGH AUGUST 31, 2022**

Name of Applicant:

Focus Management Group USA Inc.

Authorized to Provide
Professional Services to:

Debtor and Debtor in Possession

Date of Retention:

July 5, 2022 (effective August 5, 2022)

Period for which compensation
and reimbursement is sought:

August 1, 2022 through August 31, 2022

Amount of Compensation sought as
actual, reasonable and necessary
legal services rendered:

\$24,557.50

Amount of Expense Reimbursement
sought as actual, reasonable and
necessary:

\$105.00

This is a(n): X monthly interim final application

¹ The last four digits of the Debtor's federal tax identification number are 1247. The Debtor's address is 6606 W. Broad Street, Richmond, VA 23230.
13810567.v1

PRIOR APPLICATIONS FILED

Dated Filed	Period Covered	Requested		Approved	
		Fees	Expenses	Fees	Expenses
9/29/2022	July 5, 2022 to July 31, 2022	\$42,370.00	\$105.00	n/a	n/a

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**SECOND MONTHLY FEE APPLICATION OF FOCUS MANAGEMENT GROUP
USA INC., FINANCIAL ADVISOR TO THE DEBTOR, FOR ALLOWANCE OF
COMPENSATION AND REIMBURSEMENT OF EXPENSES FOR THE PERIOD
FROM AUGUST 1, 2022 THROUGH AUGUST 31, 2022**

Focus Management Group USA Inc (“FOCUS”), financial advisor to Agway Farm & Home Supply, LLC, the debtor and debtor in possession (the “Debtor”), hereby submits its monthly fee application (the “Application”) for entry of an order pursuant to section 331 of title 11 of the United States Code, 11 U.S.C. §§101 et seq., as amended (the “Bankruptcy Code”) granting monthly compensation in the amount of \$24,557.50 and reimbursement of expenses in the amount \$105.00 for the period from August 01, 2022 through August 31, 2022 (the “Compensation Period”), and in support thereof, FOCUS respectfully represents as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction over this Application pursuant to 28 U.S.C. §1334. This is a core proceeding pursuant to 28 U.S.C. §157(b)(2)(A) and (B).
2. Venue of this proceeding and this Application is proper in this District pursuant to 28 U.S.C. §§1408 and 1409.

¹ The last four digits of the Debtor’s federal tax identification number are 1247. The Debtor’s address is 6606 W. Broad Street, Richmond, VA 23230.

3. The statutory predicate for the relief sought herein is section 331 of the Bankruptcy Code.

BACKGROUND

4. On August 5, 2022 (the “Petition Date”), the Debtor filed a voluntary petition with the United States Bankruptcy Court for the District of Delaware (the “Court”) for relief under chapter 11 of the Bankruptcy Code. The Debtor is operating its business and managing its properties as debtor-in-possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. On July 18, 2022, an official committee of unsecured creditors (the “Committee”) was appointed in this case. No trustee or examiner has been appointed.

5. On July 13, 2022, the Debtor filed a Motion for Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals (the “Administrative Compensation Motion”) [D.I. 54]. The deadline for filing objections to the Administrative Compensation Motion was 4:00 p.m. (ET) on July 27, 2022. No objections to the Administrative Compensation Motion were filed and on August 2, 2022 the Debtor submitted its Certification of Counsel and proposed form of order approving the Administrative Compensation Motion [D.I. 103]. On August 3, this Court entered an Order granting the Administrative Compensation Motion [D.I. 114].

6. On July 13, 2022, the Debtor filed an application seeking the retention and employment of Focus Management Group USA Inc as financial advisor for the Debtor nunc pro tunc to the Petition Date [D.I. 52]. On August 03, 2022, this Court entered an Order [D.I.113] approving the retention of FOCUS as bankruptcy counsel to the Debtor nunc pro tunc to the Petition Date.

7. Attached hereto as **Exhibit A** is a full and detailed statement describing the

services rendered by each professional and paraprofessional at FOCUS during the Compensation Period.

8. To apprise this Court of the services provided during the Compensation Period, FOCUS sets forth the following summary of services rendered. The summary is intended only to highlight the general categories of services performed by FOCUS on behalf of the Debtor; it is not intended to set forth each and every item of professional services which FOCUS performed.

- **Business Analysis**

This category includes time expended by FOCUS in connection with assisting the Debtor in (1) updating business plans, (2) cash flow projections with variance analysis, (3) review of weekly operational expenses and (4) budgets and monitoring collections and disbursements.

FOCUS expended 31.1 hours of time for a charge of \$14,72.50 for services rendered with respect to matters relating to business analysis.

- **Business Operations**

This category includes time expended by FOCUS in connection with addressing issues related to the Debtor's business operations. Such included (1) review of warehouse leases (2) review of various personnel matters.

FOCUS expended 1.7 hours of time for a charge of \$807.50 services rendered with respect to matters relating to business operations.

- **Case Administration**

This category includes time expended by FOCUS in connection with (1) prepare the monthly operating reports (MORS) for the court, and (2) participating in numerous

conference calls with the Debtor addressing various case administrative matters,

FOCUS expended 15.5 hours of time for a charge of \$7,362.50 for services rendered with respect to matters relating to case administration.

- **Asset Analysis & Recovery**

This category includes time expended by FOCUS in connection with (1) discussions with Debtors regarding the sale of intellectual property and (2) participating in conference calls with the Debtor addressing various matters in the sales process.

FOCUS expended 3.4 hours of time for a charge of \$1,615.00 for services rendered with respect to matters relating to asset analysis and recovery.

9. The total sum due to FOCUS for professional services rendered on behalf of the Debtor during for the Compensation Period is \$24,557.50. FOCUS submits that the professional services it rendered on behalf of the Debtor during this time were reasonable and necessary.

10. FOCUS incurred \$105.00 of expenses during the Compensation Period. A chart detailing the specific disbursements are attached hereto as **Exhibit A**.

11. The undersigned hereby attests that he has reviewed the requirements of Local Rule 2016-1 and this Application conforms to such requirements, including that copying charges were only \$.10 per page.

WHEREFORE, FOCUS hereby requests pursuant to the procedures allowed in the Administrative Compensation Order: (i) monthly allowance of compensation for necessary and valuable professional services rendered to the Debtor in the amount of \$24,557.50 and reimbursement of expenses in the amount of \$105.00 for the period from August 1, 2022 through August 31, 2022; (ii) payment in the total amount of \$19,751.00 (representing 80% of the total fees (\$24,557.50) billed and 100% of the expenses \$105.00 incurred during the Application

Period); and (iii) such other relief as this Court deems just and proper.

Dated: September 29, 2022

MORRIS JAMES LLP

/s/ Brya M. Keilson

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